

REMARKS

Applicants respectfully request the Examiner's reconsideration of the present application. No claims have been amended or cancelled. Therefore, claims 1-43 are presented for examination.

Claims Rejected Under 35 U.S.C. §102(e)

Claims 1, 2, 4, 10-13, 15, 21-24, 26, 32-35, 37, and 43 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,687,230 issued to Furutono et al., ("*Furutono*"). Applicants disagree with the rejection.

To anticipate a claim, the Examiner must show that a single reference teaches each and every element of that claim. Among other limitations, independent claims 1, 12, 23 and 34 recite "PTSE information having SIG information that describes bandwidth which has been allocated to specific priority levels of a bandwidth resource." *Furutono* does not teach or suggest this limitation.

According to the Office Action, *Furutono* discloses a routing system having a route information management unit for designating an optimum route using a node-corresponding route bandwidth shortage information receiving event (*Furutono*, Abstract; col. 12, lines 11-19; Fig. 29).

Claim 1 is not anticipated by *Furutono* because *Furutono* does not teach or suggest that the bandwidth be allocated to specific priority levels of a bandwidth resource and described in PTSE information. Although *Furutono* discloses bandwidth information in Fig. 29 and bandwidth shortage information (e.g. availability) on col. 12, line 13, it does not teach or suggest PNNI Topology State Elements (PTSE) information contains specific priority levels. The Office Action has not indicated where in *Furutono* the limitation of "PTSE information having SIG information that describes bandwidth which has been allocated to specific priority levels," is taught. Applicants respectfully submit that *Furutono* does not teach or suggest this limitation of the claims.

Dependent claims 2, 4, 10, 11, 13, 15, 21, 22, 24, 26, 32, 33, 35, 37 and 43 depend from claims 1, 12, 23 and 34 and are not anticipated for at least the reasons given above in

support of their base claims. Accordingly, Applicants respectfully request that rejection of 1, 2, 4, 10-13, 15, 21-24, 26, 32-35, 37, and 43 be reconsidered and withdrawn.

Claims Rejected Under 35 U.S.C. §103(a)

Furutono in view of Dolganow

Claims 3, 5, 14, 16, 25, 27, 36, and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Furutono* in view of U.S. Patent Application No. 2002/0124106 A1, *Dolganow* (“*Dolganow*”).

These claims depend from independent claims 1, 12, 23 and 34 and therefore are not obvious, for at least the reasons give above in support of their base claims. Neither *Furutono* nor *Dolganow* teaches or suggests PTSE information having SIG information that describes bandwidth which has been allocated to specific priority levels.

Dolganow discloses a system that communicates and utilizes resource information (e.g. available bandwidth) in a communication network that utilizes source routing and significant resource change detection (*Dolganow*, page 2, [0032]). The Office Action did not indicate where in *Dolganow* the limitation of PTSE information having a bandwidth be “allocated to specific priority levels” is taught. Applicants respectfully note the distinction between the availability of the bandwidth, and the priority levels of the bandwidth. Thus, because *Dolganow* also fails to disclose this limitation, the combination of *Furutono* and *Dolganow* does not teach or suggest this limitation. Accordingly, reconsideration and withdrawal of rejections of claims 3, 5, 14, 16, 25, 27, 36, and 38 are respectfully requested.

Furutono in view of Asano

Claims 6-9, 17-20, 28-31 and 39-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Furutono* in view of U.S. Patent No. 6,240,102 issued to Asano (“*Asano*”).

These claims depend from independent claims 1, 12, 23 and 34 and therefore are not obvious. For at least the reasons stated above, *Furutono* does not teach or suggest PTSE information having SIG information that describes bandwidth which has been allocated to specific priority levels. *Asano* does not cure this deficiency.

Asano discloses a system for routing an ATM cell on an unspecific bit rate (UBR) connection wherein a route is determined by administering neither a bandwidth nor a quality

in a cell network (col. 1, lines 61-63). *Asano* fails to use bandwidth information in routing ATM cells. *Asano* does not teach or suggest “PTSE information having SIG information that describes bandwidth which has been allocated to specific priority levels.” Thus, the combination of *Furutono* and *Asano* does not teach or suggest the limitations of claims 6-9, 17-20, 28-31 and 39-42. Accordingly, reconsideration and withdrawal of rejections of claims 6-9, 17-20, 28-31 and 39-42 are respectfully requested.

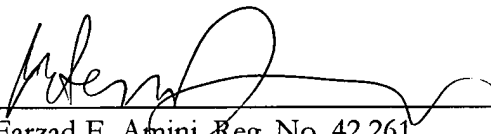
CONCLUSION

In view of the forgoing, it is believed that all claims now pending, namely claims 1-43 are in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

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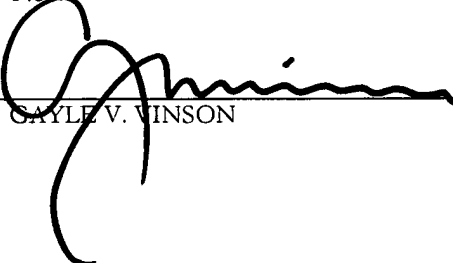
Date: March 21, 2006


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GAYLE V. VINSON

March 21, 2006
Date